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UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

-----x  
 JONATHAN X. FLAGG and :  
 JACQUELINE ALVAREZ, on behalf of : 07 Civ. 7392 (PKC)  
 themselves and all others similarly situated, :  
 Plaintiffs, : **PLAINTIFFS' NOTICE OF MOTION**  
 : **FOR AN ORDER *NUNC PRO TUNC***  
 : **PERMITTING PLAINTIFFS FIVE**  
 : **ADDITIONAL PAGES FOR THEIR**  
 : **REPLY BRIEF IN SUPPORT OF**  
 : **THEIR MOTION THAT THE**  
 : **COURT RECONSIDER ITS**  
 : **HOLDING THAT NEW YORK'S**  
 : **ACCURAL RULE APPLIES TO MS.**  
 : **ALVAREZ'S ERISA CLAIM**  
 :  
 :  
 SKADDEN, ARPS, SLATE, MEAGHER :  
 & FLOM PENSION PLAN, :  
 :  
 Defendant. :  
 -----x

PLEASE TAKE NOTICE that, upon the accompanying Memorandum In Support of Plaintiffs' Motion for an Order *Nunc Pro Tunc* permitting Plaintiffs five additional pages for their reply brief in support of their motion that the Court reconsider its June 18, 2008 holding that New York's accrual rule applies to Ms. Alvarez's federal ERISA claim, the undersigned will move before the Honorable P. Kevin Castel, Judge of the United States District Court for the Southern District of New York, at the United States District Courthouse, located at 500 Pearl Street, New York, NY 10007, at a time and place to be scheduled by this Court, for such Order.

Dated: July 8, 2008

Respectfully submitted,

/Eli Gottesdiener  
Eli Gottesdiener [EG0111]  
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*Attorney for Plaintiffs and the proposed Classes*